

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 24-5192**September Term, 2024****1:24-cv-00295-DLF****Filed On:** February 25, 2025

Edward Jacob Lang, et al.,

Appellants

v.

Daniel Thau, Sergeant, Metropolitan Police
Department, et al.,

Appellees

BEFORE: Childs, Pan, and Garcia, Circuit Judges

ORDER

Upon consideration of the motion for summary affirmance, the pro se opposition filed by appellant Edward Jacob Lang, and the reply, it is

ORDERED, on the court's own motion, that this appeal be dismissed for lack of prosecution as to the appellants other than Lang. See D.C. Cir. Rule 38. No appearance has been entered and no filings have been made on their behalf since this appeal was docketed. It is

FURTHER ORDERED that the motion for summary affirmance be granted. The merits of the parties' positions are so clear as to warrant summary action. See Taxpayers Watchdog, Inc. v. Stanley, 819 F.2d 294, 297 (D.C. Cir. 1987) (per curiam). The district court did not abuse its discretion in dismissing this case without prejudice after receiving no response to its order to show cause why the case should not be dismissed for failure to comply with Local Civil Rule 5.1(c)(1). See Peterson v. Archstone Cmties. LLC, 637 F.3d 416, 418 (D.C. Cir. 2011) (explaining that this court reviews for abuse of discretion the district court's exercise of its "inherent power to dismiss a case sua sponte for a plaintiff's failure to prosecute or otherwise comply with a court order"); Texas v. United States, 798 F.3d 1108, 1113 (D.C. Cir. 2015) ("We review the district court's decision enforcing its local rules for abuse of discretion."). The district court likewise did not abuse its discretion in denying appellants' motion to reinstate the complaint under either Federal Rule of Civil Procedure 59(e) or 60(b), see Morrissey v. Mayorkas, 17 F.4th 1150, 1162 (D.C. Cir. 2021), particularly in light of

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serious questions raised by the record as to whether all of the named plaintiffs consented to participate in this litigation and whether a forged signature was used in the pleadings.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:

Clifton B. Cislak, Clerk

BY: /s/

Selena R. Gancasz
Deputy Clerk